

**DEPARTMENT OF TRANSPORTATION**

ESC/OE MS #43  
1727 30TH Street, 2ND Floor  
Sacramento, CA 95816



February 13, 2001

08-SBd,LA-38/138-various  
08-0A2404

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in IN SAN BERNARDINO AND LOS ANGELES COUNTIES AT VARIOUS LOCATIONS.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on March 15, 2001.

This addendum is being issued to revise the Notice to Contractors and Special Provisions.

In the Special Provisions, Section 4, "BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES," is revised as attached.

To Proposal and Contract book holders:

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is including this addendum with the Special Provision and the Proposal and Contract book holders to ensure that each receives it.

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief  
Office of Plans, Specifications & Estimates  
Division of Office Engineer

Attachment

#### **SECTION 4. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES**

Attention is directed to the provisions in Section 8-1.03, "Beginning of Work," in Section 8-1.06, "Time of Completion," and in Section 8-1.07, "Liquidated Damages," of the Standard Specifications and these special provisions.

After the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation, the Contractor shall begin work within 15 calendar days after approval of the contract, or within 5 calendar days after the State of California 2001/2002 Fiscal Year Budget Act becomes law, or on July 1, 2001, whichever occurs later.

No work shall be performed on this project before July 1, 2001, unless budget capacity becomes available in the 2000/2001 Fiscal Year Budget and the Engineer and Contractor have mutually agreed on a start date following contract approval.

If the 2001/2002 Fiscal Year Budget Act does not become law by August 1, 2001, and no work on the contract has been performed, the Contractor may elect to terminate the contract at no cost to the State. This election to terminate will not prejudice the Contractor's performance and payment securities or its rights to participate in future bidding for the project. If the Contractor elects to terminate the contract as provided, notification of the termination shall be submitted by U.S. Postal Service certified mail, with return receipt and certificate of mailing, to the Department of Transportation, Division of Office Engineer, (MS 43), 1727 30th Street, Sacramento, CA 95816, and postmarked before the effective date the 2001/2002 Fiscal Year Budget Act becomes law.

This work shall be diligently prosecuted to completion before the expiration of **10 WORKING DAYS** beginning on the day the Contractor begins work as mutually agreed between the Engineer and the Contractor, or, the later of "A", "B" or "C" as follows:

- A. July 1, 2001 if the 2001/2002 Fiscal Year Budget Act becomes law before July 1, 2001, and the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation; or
- B. the fifth calendar day after the 2001/2002 Fiscal Year Budget Act becomes law on or after July 1, 2001, and the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation; or
- C. beginning on the fifteenth calendar day after the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation.

The Contractor shall pay to the State of California the sum of \$1800 per day, for each and every calendar day's delay in finishing the work in excess of the number of working days prescribed above.

Work performed in conformance with the contract after July 1, 2001, will be considered authorized work and will be paid for as provided in the contract when the 2001/2002 Fiscal Year Budget Act becomes law and the contract is approved.

The Department will notify the Contractor when the 2001/2002 Fiscal Year Budget Act becomes law.